

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

FERNANDO LOPEZ,
Petitioner,

v.

RON DAVIS,
Respondent.

Case No. 16-cv-5874-NJV (PR)

ORDER OF DISMISSAL

Petitioner filed this pro se petition for writ of habeas corpus on October 11, 2016. On that same day, the court notified petitioner that he had neither paid the five dollar filing fee nor submitted a completed application for leave to proceed in forma pauperis. (Doc. 2.) A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Petitioner was informed that if he did not either pay the fee or file the application within twenty-eight days the case would be dismissed. Petitioner has not paid the filing fee, filed a proper in forma pauperis application or otherwise communicated with the court.

This case is therefore **DISMISSED** without prejudice. The clerk shall close this file. Because reasonable jurists would not find the result here debatable, a certificate of appealability ("COA") is **DENIED**. *See Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000) (standard for COA).

IT IS SO ORDERED.

Dated: November 30, 2016


NANDOR J. VADAS
United States Magistrate Judge